

EXHIBIT 163

REDACTED

In the Matter Of:

In Re: Google Antitrust Litigation

GEORGE LEVITTE

August 10, 2021



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IN RE:

GOOGLE ANTITRUST LITIGATION

60-516110-0009

ORAL VIDEOTAPED DEPOSITION

GEORGE LEVITTE

AUGUST 10, 2021

"HIGHLY CONFIDENTIAL"

ORAL VIDEOTAPED DEPOSITION OF GEORGE LEVITTE,
produced as a witness at the instance of the United
States Department of Justice Antitrust Division and duly
sworn, was taken in the above-styled and numbered cause
on the 10th day of August, 2021, from 10:45 a.m. to
8:16 p.m., before Melinda Barre, Certified Shorthand
Reporter in and for the State of Texas, reported by
computerized stenotype machine, all parties appearing
remotely via web videoconference, pursuant to the rules
of procedure and the provisions stated on the record or
attached hereto.

Highly Confidential George Levitte - August 10, 2021

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1 APPEARANCES
2 (ALL APPEARED VIA ZOOM VIDEO CONFERENCE.)

3 FOR THE UNITED STATES DEPARTMENT OF JUSTICE
4 ANTITRUST DIVISION:

5 Mr. David Geiger
6 Mr. Arshia Najafi
7 450 Fifth Avenue, NW
8 Washington, D.C. 20530

9 FOR GOOGLE, INC. AND THE WITNESS:

10 Ms. Julie Elmer
11 Mr. Peter Kim
12 FRESHFIELDS BRUCKHAUS DERINGER LLP
13 601 Lexington Avenue, 31st Floor
14 New York, New York 10022

15 FOR GOOGLE, INC.:

16 Mr. Daniel Bitton
17 AXINN VELTROP AND HARKRIDER
18 114 West 47th Street
19 New York, New York 10036

20 ALSO PRESENT: Jorge Rodriguez, Videographer;
21 Seumas Macneil; Tor Winston;
22 Shaudy Danaye-Armstrong
23
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1 Q. Can you turn to the second page of Exhibit 3
2 ending in 775.

3 **A. Yes.**

4 Q. I will reference -- there are numbers at the
5 bottom right-hand corner of the document on each page.
6 It's called a Bates number. I'll reference those during
7 this deposition.

8 **A. I see the second page that ends in 775.**

9 Q. The second project listed here is exchange
10 bidding. Do you see that?

11 **A. I do, yes.**

12 Q. You were the lead PM on exchange bidding?

13 **A. Yes.**

14 Q. Exchange bidding was Google's response to
15 header bidding?

16 **A. It would probably be more accurate to say it**
17 **was one response to header bidding, but it was the most**
18 **visible response. There were some others, I think,**
19 **though.**

20 Q. What other responses were there to header
21 bidding?

22 **A. I don't recall all of them. I think that first**
23 **look was another one.**

24 Q. And header bidding is referred to as HB
25 sometimes. Is that right?

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1 **A. That's correct.**

2 Q. And exchange bidding is referred to as EB?

3 **A. That's correct.**

4 Q. Do you see the section at the bottom of the
5 second page titled "What I Did"?

6 **A. I do.**

7 Q. And there you wrote, "Built and led strategic
8 DFP/AdX effort to launch and scale an HB alternative
9 more favorable to Google (fees, data, control, user
10 latency) as defence against long-term threat posed by
11 HB."

12 Do you see that?

13 **A. I do, yes.**

14 Q. Exchange bidding is more favorable to Google
15 than header bidding with respect to fees?

16 **A. I'm sorry. Are you asking me?**

17 Q. Yes.

18 **A. Yes, it is.**

19 Q. Can you explain why that's so.

20 **A. With exchange bidding we take a percent media
21 fee. Oftentimes it's [REDACTED]. With header bidding we
22 take an ad-serving fee. It ranges, but it might be like
23 a [REDACTED] CPM.**

24 Q. Do you also take an ad-serving fee with
25 exchange bidding?

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REPORTER'S CERTIFICATE

ORAL DEPOSITION OF GEORGE LEVITTE

August 10, 2021

I, Melinda Barre, Certified Shorthand Reporter in
and for the State of Texas, hereby certify to the
following:

That the witness, GEORGE LEVITTE, was duly sworn by
the officer and that the transcript of the oral
deposition is a true record of the testimony given by
the witness;

That the original deposition was delivered to
David Geiger.

That a copy of this certificate was served on all
parties and/or the witness shown herein
on _____.

I further certify that pursuant to FRCP Rule
30(f)(1), that the signature of the deponent:

_____ was requested by the deponent or a party before

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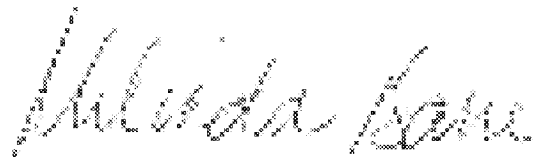
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1 the completion of the deposition and that the signature is
2 to be before any notary public and returned within 30 days
3 from date of receipt of the transcript. If returned,
4 the attached Changes and Signature Page contains any
5 changes and the reasons therefor:

6 _____ was not requested by the deponent or a
7 party before the completion of the deposition.

8 I further certify that I am neither counsel for,
9 related to, nor employed by any of the parties or
10 attorneys in the action in which this proceeding was
11 taken, and further that I am not financially or
12 otherwise interested in the outcome of the action.

13 Certified to by me on this, the _____ day
14 of _____, 2021.

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19 Melinda Barre
20 Texas CSR 2192
21 Expiration: 12/31/21
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